IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

WP(C).No. 31648 of 2007(P)

PETITIONER:

D.SUNIL, PROPRIETOR,
M/S.L.GOMATHY & SONS,
SUNIL BHAVAN, POOVANVILA,
TIRUPURAM, THIRUVANANTHAPURAM - 695 133.

BY ADV. SRI.THOMAS T. VARGHESE

RESPONDENT:

TAMILNAD MERCANTILE BANK LTD.,
PAZHAYAKADAI JUNCTION, TIRUPURAM,
THIRUVANANTHAPURAM - 695 133.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) NO. 31648 OF 2007 P

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Dated this the 25th day of October, 2007

J U D G M E N T

The challenge in this writ petition is against Ext.P1 notice published by the respondent Bank for sale of the mortgaged properties. It is seen that the petitioner had earlier approached this court by filing WP(C) No.20568/06, which was disposed of by Ext.P2 judgment granting instalment facility and further directing that if the petitioner commits default, the respondent will be free to proceed further in accordance with the notice issued under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. It is the admitted case that default was committed in paying the instalments as directed in Ext.P2 and consequently proceedings were taken, which resulted in Ext.P1.

As the situation is as above, I do not find anything irregular in Ext.P1 warranting interference. Writ petition fails and is dismissed.

ANTONY DOMINIC, JUDGE.

Rp